



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

DAVID J. BOVA

Serial No. 08/368,378

Filed January 14, 1995

For NICOTINIC ACID  
COMPOSITIONS FOR TREATING  
HYPERLIPIDEMIA AND RELATED  
METHODS THEREFOR

Group Art Unit 1205

J. Venkat, Examiner

CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Box NON-FEE AMENDMENT, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 23<sup>rd</sup> day of August, 1995

Norma J. Nazarewicz, Sec'y to Douglas J. Hura



10-24-95

RESPONSE AND AMENDMENT A

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Sir:

In response to the Official Action dated June 30, 1995, the Applicant, through his attorney, respond as follows. This Response is being concurrently filed with the Applicant's Declaration Under 37 CFR § 1.131.

In the specification:

Please amend the specification as follows.

On page 1, line 5, immediately following the phrase "Continuation-In-Part of", delete the phrase "currently pending" and substitute therefor the phrase "abandoned".

In the claims:

Please amend claims 1, 5 and 7 as follows.

- 1 1. (Amended) A method of treating hyperlipidemia in a hyperlipidemic
- 2 comprising dosing the hyperlipidemic with an effective antihyperlipidemic
- 3 amount of nicotinic acid [or compound metabolized to nicotinic acid by the

